

JOINT DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled NETWORK APPLIANCE, the specification of which

- ☐ is attached hereto.
- ☒ was filed on December 10, 2003 as Application Serial Number 10/733,808 and was amended on _____ (if applicable).
- ☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Country | Application No. | Date of Filing (day month year) | Date of Issue (day month year) | Priority Claimed Under 35 U.S.C. §119 |
|---------|-----------------|------------------------------------|-----------------------------------|---|
| | | | | |

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

| U.S. Provisional Application No. | Date of Filing (day month year) | Priority Claimed Under 35 U.S.C. §119(e)(1) |
|----------------------------------|------------------------------------|--|
| | | |

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Date of Filing (Day, Month, Year) | Status — Patented, Pending, Abandoned |
|------------------------|--------------------------------------|--|
| | | |


Power of Attorney

And we hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the practitioners at-

Customer Number: 22907 (WDC)

Please address all correspondence and telephone communications to the address and telephone number for this Customer Number.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Signature  Date 6/16/2004

Full Name of First Inventor Hopen Chris A.
Family Name First Given Name Second Given Name

Residence (city, state or country) Shoreline, WA Citizenship US

Post Office Address 1905 15th Avenue NW, Shoreline, WA 98177

Signature Gary B Tomlinson Date 5/19/04
Full Name of Second Inventor Tomlinson Gary B.
Family Name First Given Name Second Given Name
Residence (city, state or country) Woodinville, WA Citizenship US
Post Office Address 14324 227th Avenue NE, Woodinville, WA 98072


Signature  Date 6/21/2004

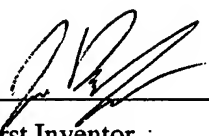
Full Name of First Inventor Brooke John

Family Name First Given Name Second Given Name

Residence (city, state or country) Gig Harbor, WA Citizenship US

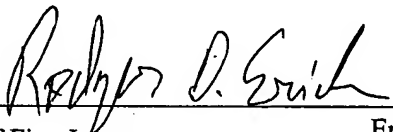
Post Office Address 19715 124th Street KPN, Gig Harbor, WA 98329

Signature  Date 19 MAY 2004
Full Name of First Inventor Brown Derek W.
Family Name First Given Name Second Given Name
Residence (city, state or country) Sunnyvale, CA Citizenship US
Post Office Address 847 Mango Avenue, Sunnyvale, CA 94087

Signature  Date 6/16/2004
Full Name of First Inventor Burdge Jonathan
Family Name First Given Name Second Given Name
Residence (city, state or country) Renton, WA Citizenship US
Post Office Address 11101 148th Place SE, Renton, WA 98059

Signature _____ Date _____
Full Name of First Inventor Erickson Rodger D.
Family Name First Given Name Second Given Name
Residence (city, state or country) Dunwoody, GA Citizenship US
Post Office Address 1500 Biddle Court, Dunwoody, GA 30338

Signature _____ Date _____
Full Name of First Inventor Burdge Jonathan
Family Name First Given Name Second Given Name
Residence (city, state or country) Renton, WA Citizenship US
Post Office Address 11101 148th Place SE, Renton, WA 98059

Signature  Date 6/18/2004
Full Name of First Inventor Erickson Rodger D.
Family Name First Given Name Second Given Name
Residence (city, state or country) Lawrence, KS Citizenship US
Post Office Address 4716 Muirfield Drive, Lawrence KS 66047